

Our Reference No. 9611-16

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
Chil-Yong Kang and Yan Li)	Group Art Unit: N/A
Serial No. 09/762,294)	Examiner: N/A
I.A. Filing Date: August 12, 1999)	Attn: Box Missing Parts
For: HIV Vaccine)	

The Commissioner of Patents
& Trademarks
Washington, D.C. 20231
U.S.A.

Dear Sir:

RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS

In accordance with the provisions of 37 C.F.R. §1.53, applicant hereby submits an executed Declaration for Patent Application of inventors **Chil Yong Kang and Yan Li**, along with the Notification of Missing Requirements, mailed March 2, 2001.

04/04/2001 ATRAH1 00000083 09762294

01 FC:254

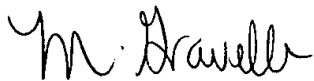
65.00 OP

Please charge our Deposit Account No. 02-2095 in the amount of \$65.00 (small entity) for the surcharge for providing the Declaration later than 30 months from the priority date. The Commissioner is hereby authorized to charge any deficiency in fee or credit any overpayment to our Deposit Account No. 02-2095. This letter is enclosed in duplicate. Applicant claims small entity status under CFR §1.27.

If any other fee is due, including a fee for an extension of time, such an extension is hereby requested and the Commissioner is authorized to charge any such fee to Deposit Account No. 02-2095.

Respectfully submitted,

Chil-Yong Kang and Yan Li



Micheline Gravelle
Registration No. 40,261

Dated: March 30, 2001

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Enclosures



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO. 09/762294	FIRST NAMED APPLICANT KANG	ATTY. DOCKET NO. C 9611-16
BERESKIN & PARR BOX 401 40 KING STREET WEST TORONTO, CAN M5H 3 Y2		
INTERNATIONAL APPLICATION NO. PCT/CA99/00746		
I.A. FILING DATE 12 AUG 99		PRIORITY DATE 12 AUG 98
DATE MAILED: 02 MAR 2001		

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
 - ☒ an Elected Office (37 CFR 1.495):
 - ☒ U.S. Basic National Fee.
 - ☒ Copy of the international application in:
 - ☐ a non-English language.
 - ☒ English.
 - ☐ Translation of the international application into English.
 - ☐ Oath or Declaration of inventors(s) for DO/EO/US.
 - ☐ Copy of Article 19 amendments.
 - ☐ Translation of Article 19 amendments into English.
 - ☒ The International Preliminary Examination Report in English and its Annexes, if any.
 - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
 - ☒ Preliminary amendment(s) filed 08 FEB 2001 and _____.
 - ☐ Information Disclosure Statement(s) filed _____ and _____.
 - ☐ Assignment document.
 - ☐ Power of Attorney and/or Change of Address.
 - ☐ Substitute specification filed _____.
 - ☐ Verified Statement Claiming Small Entity Status.
 - ☒ Priority Document.
 - ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
 - ☒ Other: INVENTOR INFORMATION SHEET
2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

- Enclosed:
- ☐ PCT/DO/EO/917
 - ☐ Notice of Defective Translation
 - ☐ PTO-875
- FORM PCT/DO/EO/905 (December 1997)

Francine Young
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